

Memorial

In regard to the ~~the~~ Reserved Mineral Lands, drawn by the Hon. D. S. Wilson, of Dubuque county, and passed the Iowa Legislature on the 17th Dec.

To the Honorable the Senate and House of Representatives in Congress assembled:

Your memorialists, the Legislature of Iowa, would respectfully represent to your honorable body, that there is a large tract of land lying within the limits of this Territory, reserved from sale, generally known as the "Reserved Mineral Lands," which your memorialists respectfully but urgently petition may be brought into market as soon as you in your wisdom may deem proper. Your memorialists are fully acquainted with the character of the land of such reservation, and think that the present manner of leasing such land by a U. S. Government officer, (saluted for such purpose,) is unjust to the miner—wrong in principle—absurd in theory—and savors more of the by-gone ages of feudalism, than of the progressive march of free government.

Your memorialists call your attention to the fact of the marked distinction existing between the policy observed towards the settlers upon the public lands, and that which is enforced against the miner—a distinction which is the more odious, because there is really no difference between the relative claims of the respective parties to the protection of the laws of the country, and the fostering hand of Congress.

The General Government, by the adoption of the Pre-emption system and opening out the lands to settlers for the purpose of taking up such lands, has, if not directly, at least indirectly, invited persons to locate upon any lands not in market, so that when they should be ordered to be sold, there would be purchasers more certainly found. This policy, so far as it extends, is doubtless an act of wisdom on the part of the Government, as well as an act of justice to the settler—by whose toil and enterprise the wilderness lands of the West have been reclaimed.

The question here naturally suggests itself—Should there be any distinction made by Congress in the sale of the "Reserved Mineral Lands," and the residue of the public domain in the West? We think not, with this single exception, that there should be some limitation as to the number of acres that one person should be permitted to purchase, so that none should be precluded from having a share, and to prevent speculation from buying up sections, and also, as far as possible in such sale, to respect the Pre-emption claims which persons may have—not legally, but strictly in accordance with custom, which it may be truly said is quite as equitable as the generality of legislative enactments.

If there ever was a time since the organization of our Territory, in which doubts, mis-trusts and fears, hung upon the hopes of the miner, it is most emphatically the present. Doomed by his calling to the most uncertain of all trades or professions, he presents claims to your consideration, and demands a thousand times stronger arm of Legislation in securing to him his lands and his rights, than the protection which is annually claimed by other branches of industry. As a class of individuals, none have submitted to greater privations, nor contributed more largely to the general wealth, by developing the resources of the great West, and none possess a greater degree of the higher qualities that adorn society. As evidence of this, we would instance the conspicuous part which they bore in the Black Hawk War. A war in which they voluntarily joined, with scarcely an exception, and with a zeal and energy which marked them as the chief champions in the contest, and conducted the campaign to a successful issue.

By their industry and perseverance they have made the mineral portion of Iowa a bloom and blossom—they have built up towns—encouraged agriculture—ever led the van in civilization, and been the pioneers to overcome all obstacles—have opened out the country and brought it to its present flourishing state. What returns do they ask for this? Anything that should startle the consciences of the most scrupulous? Not at all. They ask no encouragement from Congress. No legislation to protect their industry. They only ask that Congress should treat them as they have other citizens who have located in the West: Recognizing no distinction in the treatment of the General Government between American citizens—they only ask to be put on a level with others who have gone before them. They ask the policy born from government of buying their lands and securing their homes, at the same price and under the same restrictions that others have, who were similarly situated in other portions of the country. "The greatest good to the greatest number," is an adage by which all profess to be governed in this country, in legislating for the benefit of the people. If this should be recognized as the standard of action in Congress, and acted upon, then we are sure that it will not be long before each hardy miner can have his home secured. It will stop the thousand exciting and expensive causes of litigation—give a permanency to the calling of mining—secure each man his just rights—give an impetus to enterprise and business, that never can be felt so long as we labor under the incubus of uncertainty as to ownership which now comparatively paralyzes the energies and crush all exertion in that branch of the industrial pursuits.

The sale of the Mineral Lands will not only put an end to all the difficulties growing out of the uncertain tenure of the lands in their present condition, but it is clearly the interest of Government and of the people. This is susceptible of proof. Let those who doubt, turn to their maps and see what an immense amount of land is reserved from sale, and then compute the interest such money would bring, at one dollar and twenty-five cents per acre, and he would be astonished at the amount—exceeding as it would, all the rent-land that the government has ever received, or must ever expect to receive by the system of leasing. This reservation also includes hundreds of acres of farming land, upon which there never has been any mineral discovered, & probably from the nature of the soil there never will be.

So long as the ownership of any land is doubtful, or the title withheld, so long it retards the permanent improvement and growth of the country,—which it should be the policy of the Government to encourage rather than to impede.

In a late trial at the city of Dubuque, concerning the right of the Government to lease the Mineral Lands west of the Mississippi, it was testified to by some of the most respectable smelters in the mines, that as a general thing labor was worse repaid by mining, than in any of the general avocations or pursuits of life,—and it was their opinion from observation and long experience, that for many years, the business of mining would not pay twelve and a-half cents a day to the whole number of workmen engaged in that business.

The residents upon the Mineral Lands, so long as the present mode of leasing prevails, can be regarded in no other light than as mere tenants at will, of the General Government. This accords neither with the spirit nor genius of our institutions. Our government was founded for the benefit of the entire people. Congress was established for the purpose of legislating for the good of the people of the whole Union. Their wishes are generally arrived at by memorials and petitions. Yet Congress has permitted the prayers of the people residing upon the Mineral Lands to pass unheeded, month after month, and year after year, until they almost give up in despair in the expectation of relief from Congress. Again, what a spectacle does it present for this great republic to condescend to send out an Agent to demand a tithe from the hard earnings of an industrious individual who may have labored for years unsuccessfully; but, as soon as his perseverance is rewarded, he must be harassed by an Agent who demands a considerable share of his toil for the privilege he may have of working upon land which he has claimed and had possession of for years, and which he is not only willing, but anxious to buy.

Your memorialists deem it unnecessary to say anything in relation to the present system of leasing the public lands. The most casual observer must admit that it is radically wrong in theory, but the attempts to reduce it to practice is a complete burlesque upon the government. So completely worthless was the system, after long experience, that it was abandoned for near eight years, and was only revived by the late administration, during the rush for office. One fact must convince all of its absurdity, that the Government Agents, during the years of their appointments, have never collected enough even to pay their own salaries!—being consequently a loss to the government.

What can be done under a full examination and complete survey of the question? Remain as we are, we cannot any longer. Action we must have for the benefit of the inhabitants that live upon the reserved Mineral Lands, to secure the home of the farmer, and to give stability to the business of mining. This can only be done by bringing the reserved Mineral Lands into market as soon as you, in your wisdom may see proper, at the usual price, and in such quantities as will do justice both to the poor and the rich,—this will forever settle this vexed question, and is the way, sooner or later, that must be adopted, and for which your petitioners will ever pray.

Resolved, That his Excellency, the Governor, be requested to forward a copy of this memorial to the President of the Senate, and Speaker of the House of Representatives, and to our Delegate in Congress.